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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/855,664	05/16/2001	Kazuyoshi Watanabe	208547US2	1396

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EXAMINER

LEE, DOUGLAS S

ART UNIT	PAPER NUMBER
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2125

DATE MAILED: 02/20/2003

#5

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/855,664

Applicant(s)

WATANABE ET AL.

Examiner

Douglas S Lee

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 19-21 are rejected under 35 U.S.C. 102(b) as being anticipated by Kudo (US Pat. #6,343,238).

Regarding claims 19-21, Kudo discloses Kudo discloses a computerized system having a various function to analyze the current position in the mass production process comprising steps of causing a storage-relating instruction and an actual condition of storage to be displayed on a large-scaled display that is located at a specific position on a worker's flow line in a predetermined storehouse of an article, which allows the display and the article to be recognized simultaneously; and updating the display without delay in response to input of the storage-relating instruction and the actual condition of storage from an input terminal (see fig.2, col.8, lines 10-59) .

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148

USPQ 459 (1966), that are applied for establishing a background for determining

obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

3. Claims 1-13, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kudo (US Pat. #6,343,238) in view of Arita et al. (US Pat. #5,835,078).

1. Regarding claims 1, 6, 9, 10, 11-12, 18, and 21, Kudo discloses a computerized system having a various function to analyze the current position in the mass production process comprising an input terminal that inputs an instruction and an actual condition with regard to at least one of storage and shipment of an article in a predetermined storehouse as occasion demands (see fig. 1 element 14, col.7, lines 56-66); a memory device that stores information regarding the input instruction and actual condition therein (see fig. 1, element 16, col.8, line 8). An output means that display the instruction and the actual condition stored in said storage device, thereby showing the instruction and the actual condition to substantially anyone in the predetermined storehouse with out delay. However, Kudo fails to disclose a large-scaled display. Arita et al. disclose a large-scaled display device for a plant manager to grasp the entire plant operation information (see fig. 1, element 4, col.7, lines 10-65). Therefore, it would

have been obvious to modify the output means of Kudo with a large-scaled display device as taught by Arita et al. One having ordinary skill in the art would have been motivated to make such a modification to enhance the monitoring of the entire plant operation and up to dated on the information displayed on the large screen display device.

Regarding claims 2 and 8, it is clear from Kudo's, fig. 2, col.8, lines 10-59, that the predetermined storehouse has a plurality of storage lanes of the article according to destinations of the shipment, and the instruction and the actual condition is displayed corresponding to each of the plurality o storage lanes.

Regarding claim 3, it is clear from Kudo's, fig. 2, col.8, lines 10-59, that the large-scaled display shows at least an instruction with regard to a type of the article to be stored and an instruction and an actual condition with regard to a numerical quantity of the each type of article to be stored.

Regarding claim 4, it is clear from Kudo's, fig. 2, col.8, lines 10-59, that the large-scaled display shows at least an instruction with regard to a destination of the article to be shipped, an instruction with regard to a numerical quantity of the article to be shipped, and an actual condition with regard to a numerical; quantity of the article that has already been shipped.

Regarding claims 5 and 7, the sole difference between modified Kudo and this claim is the large-scaled display located a predetermined position to recognized from at least either one of a preprocess area. At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to locate the large-scaled display in

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a predetermined position to recognized from at least either one of a preprocess area because the claimed invention would work equally well with modified Kudo's display. Both display devices accomplish the same result that is to enhance the monitoring of the entire plant operation and up to dated on the information displayed on the large screen display device. Therefore, it would have been obvious to one of ordinary skill in the art to modify Kudo to obtain the invention as specified in claim 5.


Claims 14-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over modified Kudo (US Pat. #6,343,238) as applied to claim 1 above, and further in view of Uchida et al. (Pub. # 2001/0023376 A1). The further difference between modified Kudo and these claims is a network that transmits information regarding the working status of one of the three areas to another specific area that is present in the factory. However, Uchida et al. disclose the information management system including the use of a network to transmit information ready for decision-making. Thus, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use the network environment to transmit information regarding the working status of one of the three areas to another specific area that is presents in the factory that is to enhance the monitoring of the entire plant operation and up to dated on the information displayed on the large screen display device. Therefore, it would have been obvious to one of ordinary skill in the art to modify Kudo to obtain the invention as specified in claims14-17.

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### *Conclusion*

1. All claims are rejected.
2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Douglas Lee, whose telephone number is (703) 305-6907. The examiner can normally be reached on Monday-Friday from 8:00AM- 4:30PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *Leo Picard*, can be reached on (703) 308-0538 or via e-mail addressed to [*leo.picard@uspto.gov*]. The fax number for this Group is (703) 308-5358. Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [*doug.lee@uspto.gov*]. All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 306-5631.

**Douglas Lee**  
**2/10/2003**



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**SUPERVISORY PATENT EXAMINER**  
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